

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

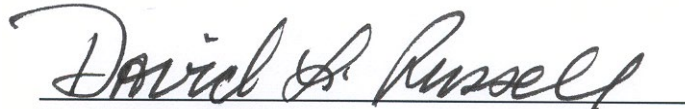
DAVID BRIAN MORGAN,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-24-2-R
)	
JOE BIDEN,)	
)	
Respondent.)	

ORDER

This action is before the Court for review of the Report and Recommendation [Doc. No. 7] issued by United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Upon initial screening of the Petition for a Writ of Habeas Corpus [Doc. No. 1], Judge Mitchell recommends that the action be dismissed without prejudice for lack of jurisdiction as a second or successive habeas petition without Tenth Circuit authorization. After the time to file an objection to the Report and Recommendation, Petitioner filed a document titled “Petition to Name Counsel for Petitioner” [Doc. No. 8]. This document does not appear to be intended as an objection to the Report and Recommendation and, in any event, presents no persuasive argument or authority that would cause this Court to reject the magistrate judge’s recommendation.

Accordingly, the Report and Recommendation [Doc. No. 7] is ADOPTED and this action is dismissed without prejudice. Additionally, Petitioner has not met the standard for issuance of a certificate of appealability and a certificate of appealability is therefore denied.

IT IS SO ORDERED this 9th day of February, 2024.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE